

ENTERED

May 08, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL ACTION NO. 2:23-CR-00008
§
JOSE MURILLO-TOVAR §
§
Defendant. §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A show cause hearing was held today in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f) and 18 U.S.C. § 3148. Defendant was previously granted a bond after a detention hearing was held on December 21, 2022. A petition for action on pretrial release was filed on April 5, 2023 with the Court alleging that Defendant violated conditions 1, 7(f) and 7(o) of his bond conditions. The specific allegations are in the petition. (D.E. 23).

At the hearing, Defendant pled true to the allegations involving bond violations 7(f) and 7(o) and stood silent on the allegation regarding condition 1. The government proffered the testimony of U.S. Probations Alyssa Barrera without objection. The Court found the allegations to be true.

The following requires detention of the defendant pending trial in this case:

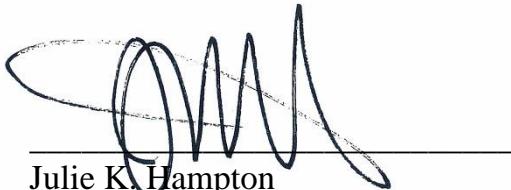
- (1) There is probable cause to believe that Defendant has committed another Federal, State, or local crime while on release;
- (2) There is clear and convincing evidence that the Defendant has violated the condition of release;

(3) Based on the factors in section 3142(g) of Title 18, there is no condition or combination of conditions of release that will assure that the Defendant will not flee or pose a danger to the safety of any other person or the community; and

(4) Defendant is unlikely to abide by any condition or combination of conditions of release.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED on May 8, 2023.



Julie K. Hampton
United States Magistrate Judge